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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,970	12/04/2000	Germain Paul Bisson	RIDO-0018	3989

7590 11/17/2004  
Birch, Stewart, Kolasch & Birch, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747

EXAMINER
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PHAM, BRENDA H

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/728,970

**Applicant(s)**

BISSON ET AL.

**Examiner**

Brenda Pham

**Art Unit**

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/4/2000.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-11 have been examined.

#### ***Claim Objections***

2. Claim 2 is objected to because of the following informalities: line 14 recites the limitation "n said mappers" should be corrected to --n plurality of mappers--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-11 are rejected under *35 USC § 112 as being* lack of antecedent basis in the claims.

Claim 1 recites the limitation "said data" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said bandwidth allocation" in line 12-13. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "said client" in line 15,17, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "said STS payload" in line 1. There is insufficient antecedent basis for this limitation in the claim.

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Claim 6 recites the limitation "said client" in line 2, 3, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "said bandwidth allocation" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "said STS payload" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "said clients" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "said data" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "n clients" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "said bandwidth allocations" in line 15. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "n clients" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "said clients" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "said bandwidth allocation" in line 11. There is insufficient antecedent basis for this limitation in the claim.

***Allowable Subject Matter***

5. Claims 1-11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record does not teach an invention provided a multiplexer for transporting client data from an optical serial link to a clear optical channel of a metro or wide area link comprising N STS-1s. a mapper maps, according to a predetermined bandwidth allocation, the data to an N x STS-1 SONET payload using y STS-1s where y is 0 to N, the y STS-1s being selected on a sequential or non-sequential concatenation basis from the N STS-1s. An aggregator aggregates the mapped data into a composite STS payload comprising N STS-1s. A bandwidth allocation receiver receives the bandwidth allocation.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(US 6,493,847 B1) Sorgi et al discloses a mapping of 48 STS-1 signal into an STS-48 signal.

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**Conclusion**

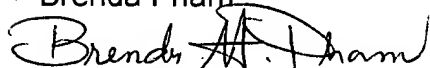
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

November 12, 2004

Brenda Pham

A handwritten signature in cursive script that reads "Brenda A. Pham". The signature is written in dark ink and is positioned below the printed name "Brenda Pham".